

IN THE CLAIMS:

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1. (Currently amended) A breakfast cereal biscuit comprising agglomerated flaked grain, said grain ~~includes~~ comprises waxy grain in an amount of at least 20% by weight of total grain content wherein said grain has been hydrated and cooked so that substantially all of the starch content in said grain is gelatinized and as a result said grain is able to be agglomerated without the need for additives.
 2. (Previously cancelled)
 3. (Previously amended) A breakfast cereal biscuit as claimed in claim 1 which additionally comprises any one or more of other grain or grain products, nuts, fruits, fruit juice, nutritional supplements, flavours, colours, salt, sweeteners and/or stabilizers.
 4. (Previously amended) A breakfast cereal biscuit as claimed in claim 1 wherein said waxy grain is selected from the group consisting of barley, corn, wheat, rice and sorghum.
 5. (Original) A breakfast cereal biscuit as claimed in claim 4 wherein said waxy grain is barley
 6. (Previously amended) A breakfast cereal biscuit as claimed claim 4 wherein said waxy grain comprises at least 50% by weight of total grain content.
 7. (Previously amended) A breakfast cereal biscuit as claimed in claim 4 wherein said waxy grain comprises at least 90% by weight of total grain content.
 8. (Previously amended) A breakfast cereal biscuit as claimed claim 4 wherein said waxy grain comprises 100% by weight of total grain content.
 9. (Previously amended) A breakfast cereal biscuit as claimed in claim 5 wherein said barley is hydrated to a moisture content of up to 30% w/w.
 10. (Original) A breakfast cereal biscuit as claimed in claim 9 wherein said barley is hydrated to a moisture content of from 24 to 29% w/w.
 11. (Original) A breakfast cereal biscuit as claimed in claim 10 wherein said barley is hydrated to a moisture content of about 29% w/w.
 12. (Previously cancelled)
 13. (Currently amended) A The process as claimed in claim 12 according to any one of Claims 26-28 including the additional step of adding one or more of other grain or grain products,

nuts, fruits, fruit juice, nutritional supplements, ~~flavours~~flavors, ~~colours~~colors, salt, sweeteners and/or stabilizers.

14. (Previously amended) The process according to anyone of Claims 26-28 wherein said waxy grain is selected from barley, corn, wheat, rice and/or sorghum.
15. (Original) A process as claimed in claim 14 wherein said waxy grain is barley
16. (Previously amended) A process as claimed in claim 14 wherein said waxy grain comprises at least 75% by weight of total grain content.
17. (Previously amended) A process as claimed in claim 14 wherein said waxy grain comprises at least 90% by weight of total grain content.
18. (Previously amended) A process as claimed in claim 14 wherein said waxy grain comprises 100% by weight of total grain content.
19. (Previously amended) A process as claimed in claim 15 wherein said barley is hydrated to a moisture content of up to 30% w/w.
20. (Original) A process as claimed in claim 19 wherein said barley is hydrated to a moisture content of from 24 to 29% w/w.
21. (Original) A process as claimed in claim 20 wherein said barley is hydrated to a moisture content of about 29% w/w.
22. (Previously amended) A breakfast cereal biscuit prepared by the process of any one of Claims 26-28.
23. (Previously cancelled)
23. (Currently cancelled for duplicate number; restated in new Claim 29)
24. (Currently amended) The breakfast cereal biscuit of claim 1 wherein the grain has been hydrated and cooked simultaneously, rolled into flakes, and either (1) agglomerated, ~~and~~ toasted and cut into a desired biscuit shape, or (2) agglomerated into a desired biscuit shape and toasted, or (3) toasted and agglomerated into a desired biscuit shape.
25. (Currently amended) The breakfast cereal biscuit of claim 1 wherein the grain has been partially hydrated prior to cooking followed by balancing moisture during the cook phase, rolled into flakes, and either (1) agglomerated, ~~and~~ toasted and cut into a desired biscuit shape, or (2) agglomerated into a desired biscuit shape and toasted, or (3) toasted and agglomerated into a desired biscuit shape.

26. (Currently Amended) A process for producing a breakfast cereal biscuit comprising the steps of

- a) selecting grain which includes waxy grain in an amount of at least 20% by weight of total grain content;
- b) sequentially hydrating and cooking said grain sequentially;
- c) rolling cooked grain into flakes; and either
- d) agglomerating the flakes of step c) into a desired biscuit shape, and toasting;
or
- e) agglomerating the flakes of step c) and toasting, and cutting the toasted product into a desired biscuit shape of step d); or
- f) toasting the flakes of step c), and agglomerating the toasted product into a desired biscuit shape.
- ~~g) agglomerating the product of step f) into a desired biscuit shape.~~

27. (Currently amended) A process for producing a breakfast cereal biscuit comprising the steps of

- a) selecting grain which includes waxy grain in an amount of at least 20% by weight of total grain content;
- b) simultaneously hydrating and cooking said grain simultaneously;
- c) rolling cooked grain into flakes; and either
- d) agglomerating the flakes of step c) into a desired biscuit shape, and toasting;
or
- e) agglomerating the flakes of step c) and toasting, and cutting the toasted product into a desired biscuit shape of step d); or
- f) toasting the flakes of step c), and agglomerating the toasted product into a desired biscuit shape.
- ~~g) agglomerating the product of step f) into a desired biscuit shape.~~

28. (Currently amended) A process for producing a breakfast cereal biscuit comprising the steps of

- a) selecting grain which includes waxy grain in an amount of at least 20% by weight of total grain content;
- b) partially hydrating grains prior to cooking followed by balancing moisture during the cook phase;
- c) rolling cooked grain into flakes; and either
- d) agglomerating the flakes of step c) into a desired biscuit shape, and toasting;
or
- e) agglomerating the flakes of step c) and toasting, and cutting the toasted product into a desired biscuit shape of step d); or
- f) toasting the flakes of step c), and agglomerating the toasted product into a desired biscuit shape.
- ~~g) agglomerating the product of step f) into a desired biscuit shape.~~

29. (New) The breakfast cereal biscuit of claim 1 wherein the grain has been hydrated and cooked sequentially, rolled into flakes, and either (1) agglomerated, toasted and cut into a desired biscuit shape, or (2) agglomerated into a desired biscuit shape and toasted, or (3) toasted and agglomerated into a desired biscuit shape.
30. (New) The process of any of Claims 26-28, wherein said grain is hydrated to increase the moisture content of said grain to at least 17%.
31. (New) The process of any of Claims 26-28, wherein said grain is cooked for at least 20 minutes at a temperature higher than 100°C to increase the moisture content of said grain to at least 17%.
32. (New) The process of Claim 31, wherein said grain is cooked for about 20-90 minutes.
33. (New) The process of Claim 28, wherein said partially hydrated grains prior to cooking are followed by balancing the moisture to at least 17%.
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